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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/588,708	08/09/2006 Toshiaki Sasaki		81844.0052	2456	
²⁶⁰²¹ HOGAN & HA	7590 12/11/200 RTSON L.L.P.	EXAMINER			
1999 AVENUE	OF THE STARS	GARDNER, SHANNON M			
SUITE 1400 LOS ANGELE	S, CA 90067		ART UNIT	PAPER NUMBER	
			1795		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1) Responsive to communication(s) filed on 8/9/2006 (Prelim. Amendment). 2a	Office Action Summary		Α	Application No.		Applicant(s)			
Shannon Gardner 1795				10/588,708		SASAKI ET AL.			
- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALINING DATE OF THIS COMMUNICATION. Exclusion to time may be satisfact under the processor and 57 CFR 130g. In no event, however, may reply be timely liked. If IND pointed for regly is specified above, the macroum statistics precised will apply and will exply SK (6) MONTHS from the mailing date of this communication. Failure to imply distinct seal or executed plant for regly is specified above, the macroum statistics precised will apply and will exply SK (6) MONTHS from the mailing date of this communication. Failure to imply distinct. Failure to imply distinct. Failure to imply distinct is one control of the precised of the communication. Failure to imply distinct. Status 1)			E	xaminer		Art Unit			
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DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tawada (JP 2003243676, cited in IDS) in view of Matsui (*Influence of substrate texture on microstructure and photovoltaic performance of thin film polycrystalline silicon solar cells*, cited in IDS).

As to claim 1, Tawada is directed to a substrate for thin film solar cells (abstract) consisting of a transparent insulating substrate (1), and a transparent electrode layer (11) including at least zinc oxide (paragraph [0011]) deposited on the transparent insulating substrate, wherein:

The transparent insulating substrate (1) has a fine surface unevenness
 (10) by a side of the transparent electrode layer (see Figure for configuration).

Tawada teaches the mean diameter of the insulating particles (10) being 0.1-1.0 µm but is silent as to the surface unevenness having a root-mean-squared (RMS) deviation of the surface of 5 to 50nm.

However, it is known in the thin film crystalline solar cell art to utilize a textured substrate with a RMS roughness of 38nm to improve the conversion efficiency, as taught by Matsui (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to alter the surface unevenness of the device taught by Tawada to have a RMS roughness of 5 to 50nm to improve the conversion efficiency of the device, as taught by Matsui.

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Regarding claim 2, modified Tawada teaches the transparent electrode layer having a film thickness of at least 0.8 μ m (paragraph [0025]), and also teaches that a thicker layer of ZnO improves the V_{oc} and fill factor (FF) of the device (paragraph [0027]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to increase the thickness of the ZnO layer to be greater than 1 μ m to further improve the V_{oc} and FF of the device as taught by Tawada (paragraph [0027]).

Regarding claim 3, it is the Examiner's position that the modified device of Tawada will have a haze ratio measured as a ratio of a diffuse transmittance to a total transmittance using a C light source being not less than 20% as the modified device is substantially similar to the device of the instant claim.

Regarding claim 4, modified Tawada teaches the transparent insulating substrate (1) consisting of a stacked layer of a transparent base material having a smooth surface (1) and a transparent foundation layer (10), and the transparent foundation layer comprising transparent micro-particles having an average particle diameter of 10-100nm and a transparent binder (see abstract and Figure). Modified Tawada teaches an average particle diameter of 0.1 to 1.0 μ m, which touches/overlaps with the instant range (see MPEP 2131.03).

Regarding claim 5, modified Tawada teaches a thin film solar cell comprising the substrate for thin film solar cells according to claim 1 (abstract and Figures).

Regarding claim 7, modified Tawada teaches the transparent electrode layer including at least ZnO being deposited at temperatures of the transparent insulating substrate of not less than 150°C (180°C; Matsui, **Experimental** section).

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tawada (JP 2003243676, cited in IDS) in view of Matsui (*Influence of substrate texture on microstructure and photovoltaic performance of thin film polycrystalline silicon solar cells*, cited in IDS) as applied to claim 1 above, and further in view of Oswald (US 20030116185).

Regarding claim 6, Applicant is directed above for a full discussion of Tawada in view of Matsui as applied to claim 1. Modified Tawada teaches an integrated thin film solar cell (Tawada; abstract) comprising the substrate for thin film solar cell according to claim 1 (Tawada; Figure) and at least one crystalline photoelectric conversion unit layer (12) and a back face electrode layer deposited on the transparent electrode layer (paragraph [0012]). Tawada in view of Matsui are silent as to the layers being further isolated by a plurality of isolation grooves so as to form a plurality of photoelectric conversion cells, and the plurality of photoelectric conversion cells being mutually electrically connected in series via a plurality of connection grooves.

However, it is known in the art to introduce isolation grooves/gaps into the back electrode and photoelectric layers of a photoelectric device to separate and electrically isolate adjacent back electrodes as taught by Oswald (Figure 4(g) and paragraph [0039]). Oswald further discloses a later series connection of the separated

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Photoelectric conversion cells, requiring connection grooves (see paragraphs [0040]- [0052]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to introduce isolation grooves/gaps into the back electrode and photoelectric layers of the modified Tawada device, in order to separate and electrically isolate adjacent back electrodes, as well as forming a series connection requiring connection grooves, as taught by Oswald.

Contact/Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon Gardner whose telephone number is (571)270-5270. The examiner can normally be reached on Monday to Thursday, 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on 571.272.1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/S. G./ Examiner, Art Unit 1795

/Alexa D. Neckel/

Supervisory Patent Examiner, Art Unit 1795